

Transmittal of Continuing Patent Application - Rule 1.53(b)

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Pursuant to 37 CFR § 1.53(b), please file a continuation application of pending prior Application No. 10/440,689, filed on May 19, 2003.

Inventor(s): Jeffrey C. Chang, John S. Staral, William A. Tolbert, Martin B. Wolk, Claire A. Jalbert, and Hsin-Hsin Chou

Title: LASER ADDRESSABLE THERMAL TRANSFER IMAGING ELEMENT WITH AN INTERLAYER



1. ☒ Enclosed is a copy of the Oath or Declaration in the prior application.
2. ☐ Enclosed is a newly executed Declaration and Power of Attorney.
3. ☒ Enclosed is a new Specification which includes:
 33 Pages of Specification (including claims and abstract)
 38 Number of Claims
 0 Sheets of Drawings
4. ☒ The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. (Not applicable for CIP).
5. ☐ A Preliminary Amendment is enclosed.
6. ☐ This application is being filed by less than all the inventors named in the prior application. Please delete the names of the following person(s) who are not inventors of the invention being claimed in this application: _____
7. ☒ The fee for filing this application is computed as follows:

Claims as Filed				
(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee: \$770.00
Total claims	38 - 20 =	18	x \$18.00	\$324.00
Independent claims	5 - 3 =	2	x \$86.00	\$172.00
Additional fee for filing one or more multiple dependent claims			\$290.00	\$0.00
Total Amount Due				\$1,266.00

8. ☒ Please charge to Deposit Account No. 13-3723 any fees under 37 CFR §§ 1.16 and 1.17, which may be required to file and during the entire pendency of this application. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested. One copy of this sheet marked duplicate is also enclosed.
9. An Assignment
 - ☒ to 3M Innovative Properties Company is of record in the prior application.
 - ☐ from Minnesota Mining and Manufacturing Company to 3M Innovative Properties Company has been filed/is being filed concurrently in the prior application but is not yet recorded.
 - ☐ to _____ is enclosed along with a completed Assignment Recordation Cover Sheet.

☒ Customer Number for
Correspondence Address:



32692

PATENT TRADEMARK OFFICE

10. ☐ A Power of Attorney is enclosed.
11. ☒ Other enclosures: Preliminary Communication
12. ☒ Enclosed is a return receipt postcard.

Respectfully submitted,

November 25, 2003
Date

By: Steven E. Skolnick
Steven E. Skolnick, Reg. No.: 33,789
Telephone No.: (651) 736-7796

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: (651) 736-3833

Filing of Papers and Fees by Express Mailing	
Pursuant to 37 § CFR 1.10, this application and the documents and fees listed on this transmittal letter are being deposited on the date indicated below with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
Date of Deposit	Express Mail Label No.
December 1, 2003	EV326584262US



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PATENT TRADEMARK OFFICE

Patent
Case No.: 52049US018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: CHANG, JEFFREY C.

Continuation of 10/440689 Anticipated 1752
Application No.: Group Art Unit:

Filed: Herewith Examiner: Not assigned

Title: LASER ADDRESSABLE THERMAL TRANSFER IMAGING
ELEMENT WITH AN INTERLAYER

PRELIMINARY COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
<i>December 1, 2003</i>	<i>Susan M. Dacko</i>
Date	Signed by: Susan M. Dacko

Dear Sir:

This communication accompanies the filing of the above-referenced patent application that is being submitted pursuant to the provisions of 37 CFR § 1.53(b) as a continuation application. It is believed that no fee is due for this communication; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723.

An Amendment Transmittal Form for payment of additional claim fees is attached. In the event any additional fee is due, please charge the fee to Deposit Account No. 13-3723.

Remarks

In the Office action mailed September 4, 2003 in the prior application (i.e., U.S. patent application Serial No. 10/440,689), the Examiner rejected claims 11-17 (all of the then-pending claims) under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over the article to Irie et al. These claims were also rejected under 35 U.S.C. § 102(e) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,501,937 to Matsumoto et al. The Examiner further rejected the claims under the judicially-created doctrine of obviousness-type double patenting in view of several patents cited in the Office action.

Applicants' filing of the instant application is not an acquiescence in the propriety of the Examiner's rejections in the prior application. Nor has the instant application been filed for reasons related to the patentability of the claims in the prior application. Rather, this application has been filed to pursue claims that reflect embodiments of the invention that are of more interest to Applicants' assignee at the present time.

Independent claims 1, 14, 35 and 38 are directed to a thermal transfer element comprising:

a thermal transfer layer capable of being selectively transferred from the thermal transfer element when the thermal transfer element is exposed to imaging radiation;

a light-to-heat conversion layer comprising a material that absorbs imaging radiation to convert the radiation into heat; and

an interlayer disposed between the light-to-heat conversion layer and the transfer layer, wherein the interlayer comprises an inorganic material.

Claim 1 further specifies that the interlayer is a barrier to the transfer of material from the light-to-heat conversion layer during transfer of the thermal transfer layer from the transfer element. Claim 14 specifies that the interlayer reduces the transfer of material from the light-to-heat conversion layer to the receptor during transfer of the thermal transfer layer from the transfer element to the receptor. Claim 35 specifies that the light-to-heat conversion layer comprises a black pigment that absorbs imaging radiation to convert the radiation into heat. Claim 38 specifies that the interlayer provides a surface for releasing the transfer layer.

Independent claim 27 is directed to a process for transferring an image onto a receptor.
The process comprises the steps of:

providing on a substrate a light-to-heat conversion layer, a thermal transfer layer, and an interlayer disposed between the light-to-heat conversion layer and the thermal transfer layer, wherein the interlayer comprises an inorganic material;

placing the thermal transfer layer in contact with a surface of a receptor; and

irradiating the light-to-heat conversion layer in an imagewise pattern with a light source to effect a separation between the thermal transfer layer and the light-to-heat conversion layer, and a thermal transfer of portions of the thermal transfer layer corresponding to the imagewise pattern.

Believing that all claims are in condition for allowance, Applicants respectfully request early and favorable consideration of the same.

Respectfully submitted,

November 25, 2003
Date

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